

TOWN OF LANESBOROUGH SELECTMEN'S MEETING

Submitted by Diane Stevens, Town Secretary

June 8, 2015

Present: Mr. John Goerlach, Chairman
Mr. Robert Ericson
Mr. Henry Sayers
Mr. Paul Sieloff, Town Administrator

Warrants: Warrant Signed

The meeting was opened by John Goerlach at 6:00 p.m.

Public Comment

Mr. Goerlach asked for a moment of silence for Rebecca Dufur.

Martha Freedman, on behalf of Lanesborough Clean-up Committee, came before the Board to thank them for their participation in Town Clean-Up Day. Mrs. Freedman thanked the Highway Department, local businesses who donated materials and gift cards and volunteers who participated.

Ron Tinkham came before the Board regarding Sunrise Street. Mr. Tinkham stated that the beach at the end of Sunrise Street is still a mess and should be cleaned up soon due to the warm weather. Mr. Tinkham stated that the 250th Committee has it listed as #9 on their list of sites to visit so it should be cleaned up as it is part of their tour. Mr. Goerlach said they are trying to stay on top of this issue.

Permit(s) / Contract(s) / Use of Town Property or Notification to Town of Community Event / Appointment(s)

ABCC Petition for Change of Officers/Directors – Boston Culinary Group, Inc.

A Petition for Change of Officers/Directors was filed by Skene Law Firm. P.C. on behalf of Boston Culinary Group, Inc. d/b/a Hendrick's Summit Lodge. Motion 15-75. Motion made by Robert Ericson to approve the Petition for Change of Officers/Directors of Boston Culinary Group, Inc., seconded by Henry Sayers. Unanimously voted.[#1]

ABCC Petition for Alteration of Premises – Arizona Pizza Co.

James Benson came before the Board with a Change of d/b/a and Petition for Alteration of Premises relative to his All Alcoholic Restaurant License for Arizona Pizza. Mr. Benson would like to expand his premises to include an outdoor patio in the back of the establishment. He submitted the application together with a proposed drawing for the Board's review and approval. Mr. Benson stated that there are currently two existing egresses and that the patio will be closed in with a privacy fence. Mr. Benson stated that he has been in touch with the building, fire and health departments as well as the Conservation Commission and stated that they have no issues with what he is proposing. Mr. Goerlach talked about the road access to Gulf Road and asked Mr. Benson if he would put up some type of barricade to prevent access. Mr. Benson stated that if that is what the Board is recommending he is willing to do that. Mr. Sayers stated that he would like to make sure that the gates on the fence have only one way entrances to get out, not in to the fenced in area. Mr. Ericson asked how the area will be lit at night. Mr. Benson stated that there is currently a pole that lights the area and he would be adding atmospheric lighting. The hours of operation would be until 10 p.m. during the week and 11 p.m. on weekends (Friday/Saturday). Joe Dickson of Gulf Road asked the Board if the rules would be the same for Arizona Pizza as with the Brookhouse as far as outdoor entertainment and noise. Mr. Benson stated that he believed the Town's ordinance for outdoor dining is until 11 p.m. Mr. Goerlach asked Mr. Benson to be mindful of the noise. Mr. Dickson stated that the dumpsters were supposed to be kept in good condition and located in a locked fenced-in area with lids to keep the animals out and so that the wind did not blow waste around. Mr. Dickson stated that the Brookhouse has not done this. Mr. Benson stated that his dumpsters will be in a fenced-in area. Mr. Dickson also stated that the Brookhouse has a new outdoor structure. Another resident of Gulf Road stated that he could not have a shed on his property because he was told it would be too close to the pond and stated that there have been no hearings with the Conservation Commission that he knows of regarding this structure. Motion 15-76. Motion made by Robert Ericson to approve the Alteration of Premises Application and Change of d/b/a of Arizona Pizza, seconded by Henry Sayers. Unanimously voted. John Goerlach abstained from vote. Motion carried 2-0. [#2]

Unrelated to the Arizona Pizza discussion, Mr. Dickson asked the Board what he would have to do to obtain a permit relative to the gravel pit on his property. Mr. Dickson stated that he would like to remove the gravel to level that part of his property. He stated that he has already met with the Conservation Commission and will stay away from the wetlands located on the property. Mr. Goerlach stated that no permits can be issued for new gravel beds as they are no longer available in Town. Mr. Goerlach stated that the Planning Board removed these types of permits when they changed the zoning regulations a few years ago and any gravel pit that has been closed for more than two years cannot operate. Mr. Goerlach stated that the Planning Board was meeting tonight and suggested that Mr. Dickson talk to them to see if there is a way to accomplish this so he could make the changes he wants to his property. Mr. Goerlach stated that if this cannot be accomplished by speaking with the Planning Board, the Board of Selectmen could check with Town Counsel to see how this could be accomplished. Mr. Dickson asked what the Board's interpretation of "inactive" meant as he believes that his has been in operation each year as limited material has been taken out. Mr. Goerlach asked Mr. Dickson what the Conservation Commission said and Mr. Dickson stated that the Commission wants another site plan drawn. Mr. Goerlach told Mr. Dickson to check with the Building Inspector. Mr. Dickson stated that he is not looking to open the gravel pit, he is just looking to have someone take out the material which will pay for the cost of the reclamation of the land. Mr. Goerlach asked if it is industrial land. Mr. Dickson stated he believed it was. Mr. Goerlach stated if the Building Inspector who is the Zoning Enforcement Officer approved of what Mr. Dickson is presenting then he would not have to go in front of the Planning Board. Mr. Dickson stated that he will speak with the Building Inspector.

Child Care of the Berkshires Play and Learn Group Use of Community Room (LES availability)

Melissa Zepka and Amy Hall from Child Care of the Berkshires came before the Board regarding the Play and Learn Group which has been meeting every Friday during the school year in the Community Room for the past three years. Mr. Sieloff stated that it was his understanding that only 2 or 3 children were participating in the program at the present time and not all were from Lanesborough. Ms. Zepka stated that six families were currently participating and some of the families were from New Ashford and Pittsfield. Ms. Hall stated that the group used to meet at the Elementary School but the school changed its policy on having outside agencies coming into the school. Mr. Sayers asked if the group could meet on a day when the Town Hall is open instead of on Friday's when the building is closed. Ms. Zepka and Ms. Hall stated that they could change the play group to Wednesdays. Motion 15-77. Motion made by Robert Ericson to approve the Use of the Town's Community Room for a Play and Learn Group on Wednesdays, seconded by Henry Sayers. Unanimously voted. [#3]

McCann Technical School – Fueling Station Shelter Estimate for Supplies

Mr. Sieloff stated that initially the cost for materials for this project was to be about \$700-\$1,000 but the school's Superintendent suggested that the Town add a contingency for a total of \$1,500. Mr. Ericson asked if the Board was provided with a drawing from the school. Mr. Sieloff stated that the Board was provided with a drawing and made their recommended changes and the only thing left to do was approve the funds. Motion 15-78. Motion made by Robert Ericson approve up to \$1,500 for the construction of a fueling station shelter, seconded by Henry Sayers. Unanimously voted.

Award Waterline Materials Contract

A Memorandum from DPW Director William Decelles was presented to the Board. E.J. Prescott, Inc. was the only company to bid on this contract in the amount of \$41,905.00. Motion 15-78. Motion made by Robert Ericson to award the Waterline Materials Contract to E.J. Prescott, Inc. in the amount of \$41,905.00, seconded by Henry Sayers. Unanimously voted. [#4]

Directional Drilling Contract

Mr. Sieloff presented the Board with a proposed contract for their approval and signature. Mr. Ericson asked if Town Counsel had reviewed the contract. Mr. Sieloff stated that they had and had added pages for certifications. Motion 15-79. Motion made by Henry Sayers to approve the Directional Drilling Contract, seconded by Robert Ericson. Unanimously voted. [#5]

Award Paving Contract

A Memorandum from DPW Director William Decelles was presented to the Board recommending that W.E. Williams Paving, Inc. be awarded the Town's paving contract in the amount of \$69.88/ton in place. Motion 15-80. Motion made by Robert Ericson to award the Paving Contract to W.E. Williams Paving, Inc. for 69.88/ton in place, seconded by Henry Sayers. Unanimously voted. [#6]

Sunrise Street Patching and Drainage Issues

A Memorandum from DPW Director William Decelles was presented to the Board relative to work to be completed on Sunrise Street. Mr. Goerlach would like the Board to send a letter to the Water District requesting a date for completion of the work and possible deadline of June 30th. Motion 15-81. Motion made by Robert Ericson to send a letter to the Water District requesting a deadline of June 30th for completion of work on Sunrise Street, seconded by Henry Sayers. Unanimously voted. [#7]

Proposed move of June 22nd Board of Selectmen Meeting to June 29th - End of Year Budget Transfers

Mr. Sieloff would like to move the Selectmen's meeting from June 22nd until June 29th. Mr. Ericson stated that he will not be in Town on the 29th. Mr. Sieloff stated that they could keep the Agenda light. The Board agreed to move the meeting to the 29th.

Police Station Furnace and Hot Water Heater Project

Mr. Ericson stated that the Energy Committee is working on the School and Town Hall. Mr. Goerlach stated that Green Community Grant money was awarded a year ago and this work should be completed within the next four months before colder weather. Mr. Goerlach stated that this should take priority. Mr. Ericson said that the Energy Committee, the State, and the auditors recommended the use of gas because it is more efficient. Mr. Ericson stated that the police station could use the existing tank from the historical building. Mr. Goerlach asked if the Town put out bids from companies to obtain the lowest rates for gas. Mr. Sieloff stated that he would check into this.

Review Town Meeting Warrant Motions

Mr. Sieloff presented proposed Motions for the Annual Town Meeting to the Board for their review. Mr. Sieloff stated that he worked with Town Counsel on these motions. The Board and Mr. Sieloff reviewed the Town Warrant to determine who would answer questions posed by residents at Town Meeting. Mr. Ericson stated that residents have asked about the possibility of changing the time of the Town Meetings from 7:00 p.m. to 6:00 p.m. Mr. Ericson stated that he asked Town Moderator Reilly to take a straw poll before the meeting began to see if this is something residents would like to do. Mr. Goerlach and Mr. Sayers had no objection with taking this poll to change the time of the meetings. [#8]

Vacation Carry Over Requests

DPW Director William Decelles submitted a request to the Board to carry over two weeks of unused vacation time into the next fiscal year due to the upcoming work that needed to be completed. Acting Police Chief Timothy Sorrell submitted a request to the Board to carry over three days of unused vacation time into the next fiscal year. Motion 15-82. Motion made by Henry Sayers to allow the carry-over of two weeks of unused vacation time of DPW Director William Decelles and the carry-over of three days of unused vacation days of Acting Police Chief Timothy Sorrell to be used by October 30, 2015, seconded by Robert Ericson. Unanimously voted. [#9]

Other business which could not have been reasonably foreseen within 48 hours of the meeting.

None.

Selectmen's Items

Robert Ericson spoke about the Mount Greylock School Building Committee. Mr. Goerlach stated he has no objection to Mr. Ericson taking his place at these meetings as he is unable to attend due to his schedule. Mr. Goerlach asked Mr. Sieloff to check with Carrie Green to make that change. Motion 15-83. Motion made by

Henry Sayers to designate Robert Ericson to replace John Goerlach as a member of the Mount Greylock School Building Committee, seconded by John Goerlach. Unanimously voted.

Mr. Goerlach stated that the Board should check with the Planning Board to address how to allow some manner of gravel beds permits for Town residents. Mr. Sieloff stated that he would check into this.

Town Administrator Report

Mr. Sieloff stated that tomorrow is the Town Meeting. He stated that there may be issues regarding docks and floats but is cautiously optimistic that both will pass. Mr. Sieloff gave a brief synopsis of how the meeting will be run and what things he anticipates happening. Mr. Goerlach stated that Jeff Dechaine installed a drainage pipe on his property which rectified the problem with his neighbor. Mr. Ericson asked if the Board wanted to see what the Energy Committee is doing at the School before it is submitted. Mr. Goerlach stated that the Board should know so if residents asked they would be able to answer their questions. Mr. Sieloff stated that it was agreed that the Board had to vote on anything that is submitted by the Energy Committee.

Approve Minutes

Motion made by Robert Ericson to approve the Minutes of May 11, 2015 (Regular Session), seconded by Henry Sayers. Unanimously voted. Motion made by Robert Ericson to approve the Minutes of May 11, 2015 (Executive Session), seconded by Henry Sayers. Unanimously voted. Motion made by Robert Ericson to approve the Minutes of May 18, 2015, seconded by Henry Sayers. Unanimously voted. Motion made by Henry Sayers to approve the Minutes of May 26, 2015, seconded by John Goerlach. Unanimously voted. Robert Ericson abstained from vote.

Continue Meeting to Tuesday, June 9th at 7:00 p.m.

Motion made by John Goerlach to continue the meeting to June 9, 2015 at 7:00 p.m., seconded by Henry Sayers. Unanimously voted.

Footnotes:

- [#1] Petition for Change of Officers/Directors – ABCC – Boston Culinary Group, Inc.
- [#2] Petition for Alteration of Premises and Change of d/b/a – ABCC – Arizona Pizza
- [#3] Application for Permit to Use Town Owned Property – Child Care of the Berkshires Play and Learn Group
- [#4] DPW Director Memorandum – Waterline Materials Bid Approval
- [#5] Proposed Directional Drilling Contract
- [#6] DPW Director Memorandum – Paving Contract
- [#7] DPW Director Memorandum – Sunrise Street Issues
- [#8] Proposed Town Meeting Warrant Motions
- [#9] DPW Director & Acting Police Chief – Vacation Carry-Over Requests